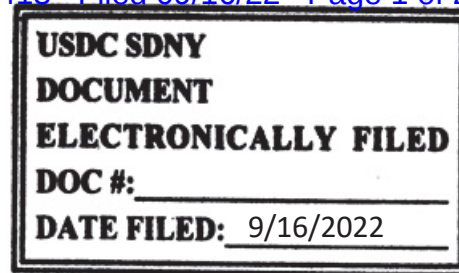


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE ACTOS ANTITRUST LITIGATION

THIS DOCUMENT RELATES TO:

ALL ACTIONS



Master File No. 1:13-cv-09244 (RA) (SDA)

ORDER

STEWART D. AARON, United States Magistrate Judge:

Before the Court are requests to seal certain documents filed in connection with Plaintiffs' August 30, 2022 Letter Motion (ECF Nos. 394) and Plaintiffs' Reply in support of their Letter Motion (ECF Nos. 405). (*See* 9/1/2022 Letter, ECF No. 397; 9/13/2022 Letter, ECF No. 409.) The requests to seal are GRANTED IN PART and DENIED IN PART.

Although "[t]he common law right of public access to judicial documents is firmly rooted in our nation's history," this right is not absolute and courts "must balance competing considerations against" the presumption of access. *Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110, 11920 (2d Cir. 2006) (internal quotation marks omitted); *see also Nixon v. Warner Commcns., Inc.*, 435 U.S. 589, 599 (1978) ("[T]he decision as to access is one best left to the sound discretion of the trial court, a discretion to be exercised in light of the relevant facts and circumstances of the particular case.").

The Court find that the proposed redactions to Plaintiff's Letter Motion filed at ECF No. 394 are overbroad as they redact information that Defendants filed on the public docket. Accordingly, the parties shall meet and confer and, no later than September 30, 2022, file a renewed motion to seal, along with a revised version of ECF No. 394 that unredacts public

information. The Court finds that the remaining redactions and/or sealing requests with respect to ECF Nos. 394-1 to 394-8, 405 and 405-1 to 405-6 are narrowly tailored to prevent unauthorized dissemination of confidential communications between Takeda and its legal counsel and, therefore, the Court grants the sealing request with respect to those documents.

SO ORDERED.

DATED: New York, New York
September 16, 2022

A handwritten signature in black ink, reading "Stewart D. Aaron", written over a horizontal line.

STEWART D. AARON
United States Magistrate Judge